



0000153262

## HEARING DIVISION PROPOSED AMENDMENT #1

TIME/DATE PREPARED: May 7, 2014, 1:00 p.m.

ORIGINAL

COMPANY: Montezuma Rimrock Water  
Company, LLC

AGENDA ITEM NO.: U-24

DOCKET NO.: W-04254A-12-0204;  
W-04254A-12-0205; W-04254A-12-0206;  
W-04254A-12-0207; W-04254A-11-0323;  
W-04254A-08-0361; and  
W-04254A-08-0362OPEN MEETING: DATE: 5/13/14 & 5/14/14

## Page 13, Line 15:

DELETE: "by"

INSERT: "be"

## Page 90, Line 23; Page 91, Lines 3 and 10-11; Page 92, Lines 14 and 16:

DELETE: "inter alia"

INSERT: "inter alia"

## Page 101, Line 26, in Footnote 64:

DELETE: "decision"

INSERT: "Decision"

## Page 107, Line 5:

DELETE: "\$83,694"

INSERT: "\$81,567"

## Page 135, Line 5:

DELETE: "week"

INSERT: "weak"

## Page 141, Line 23:

DELETE: "that that"

INSERT: "that"

Arizona Corporation Commission

DOCKETED

MAY 07 2014

DOCKETED BY

CORP COMMISSION  
DOCKET CONTROL

2014 MAY - 1 P 12:55

RECEIVED

## THIS AMENDMENT:

\_\_\_\_ Passed \_\_\_\_ Passed as amended by \_\_\_\_

\_\_\_\_ Failed \_\_\_\_ Not Offered \_\_\_\_ Withdrawn

**Page 154, Line 16:**

DELETE: "46"

INSERT: "47"

**Page 112, Line 16, after "2.14 percent":**

INSERT: "and rate of return of 4.11 percent"

**Page 112, Line 18, after "10.56 percent":**

INSERT: "and rate of return of 22.14 percent"

**Page 115, Line 6, after "it":**

INSERT: "is"

**Page 115, Line 8, after "purposes.":**

INSERT a new footnote, with the following text:

"In its Exceptions to the Recommended Opinion and Order issued in this matter, Montezuma raised due process concerns because the rates and ratemaking methodology proposed by Montezuma and Staff were not adopted. Montezuma had actual notice that the Commission was not bound by the rates proposed by Montezuma, Staff, or any other party to this matter, through three separate Procedural Orders issued in this matter in which Montezuma was required to provide prescribed notice that included a statement, in bold capital letters, to the effect that the Commission is not bound by the parties' proposals and that the rates approved might differ from the rates proposed by Montezuma or other parties. (See Proc. Orders issued Nov. 8, 2012, Feb. 26, 2013, and Feb. 28, 2013.)

During the hearing in this matter, Staff provided testimony addressing ratemaking through application of a rate of return on rate base. (See Tr. at 873-76, 1046-47, 1066-67, 1069-74, and 1085.) Staff's schedules included the rate of return on rate base for each of Staff's different cash flow analyses and showed rates of return ranging from 4.11 percent to 22.14 percent. (See Ex. S-1 at Sched. GWB-4; Ex. S-2 at Sched. GWB-4; LFE S-5 at Sched. GWB-4.)

During the hearing in this matter, Montezuma presented documentary evidence and witness testimony and cross-examined the other parties' witnesses. At the conclusion of the hearing, Montezuma confirmed that it had received a "full and fair opportunity to provide [its] position in this case." (Tr. at 1093.)

Montezuma received actual notice and had an opportunity to be heard at a meaningful time and in a meaningful manner during the five days of evidentiary hearing in this matter, followed by briefing and an opportunity to address its position again through its Exceptions and at Open Meeting. There has been no denial of due process in this matter."

**Make all conforming changes.**

<b>THIS AMENDMENT:</b>		
_____ Passed _____	Passed as amended by _____	
_____ Failed _____	_____ Not Offered _____	_____ Withdrawn _____